

1 **LENARD E. SCHWARTZER**
2850 S. Jones Blvd., Ste 1
2 Las Vegas, NV 89146
3 (702) 307-2022

4 TRUSTEE

5
6 **UNITED STATES BANKRUPTCY COURT**
7 **DISTRICT OF NEVADA**

8 In re)	Case No. BK-S 16-16106-BTB
9 ANASTASIA KARAMANIDES)	IN PROCEEDINGS UNDER CHAPTER 7
10)	TRUSTEE'S MOTION TO DISMISS CASE FOR
11)	FAILURE TO FILE REQUIRED DOCUMENTS
12 Debtor.)	UNDER SECTION 521(i)
)	(NO HEARING REQUIRED)
13)	
14)	

15 The Motion of Lenard E. Schwartzer (the "Trustee") to dismiss this case represents:

16 1. Debtor filed for relief under the Bankruptcy Code on November 15, 2016, and the
17 Trustee has duly qualified and is now acting as the Chapter 7 Trustee of the estate of the above-
18 referenced debtor.

19 2. Debtor marked the petition designating that "Debts are primarily consumer debts."

20 3. Debtor failed to file schedules for more than 45 days after the filing of his petition.

21 ***See Docket attached as Exhibit "1."***

22 4. Bankruptcy Code § 521 (i) provides

23 (1) Subject to paragraphs (2) and (4) and notwithstanding section 707(a), if an
24 individual debtor in a voluntary case under chapter 7 or 13 fails to file all of the
25 information required under subsection (a)(1) within 45 days after the date of the filing
26 of the petition, the case shall be automatically dismissed effective on the 46th day after
27 the date of the filing of the petition.
28

1 (2) Subject to paragraph (4) and with respect to a case described in paragraph (1), any party
2 in interest may request the court to enter an order dismissing the case. If requested, the court
3 shall enter an order of dismissal not later than 7 days after such request.

4 (3) Subject to paragraph (4) and upon request of the debtor made within 45 days after
5 the date of the filing of the petition described in paragraph (1), the court may allow
6 the debtor an additional period of not to exceed 45 days to file the information
7 required under subsection (a)(1) if the court finds justification for extending the
8 period for the filing.

9 (4) Notwithstanding any other provision of this subsection, on the motion of the
10 trustee filed before the expiration of the applicable period of time specified in
11 paragraph (1), (2), or (3), and after notice and a hearing, the court may decline to
12 dismiss the case if the court finds that the debtor attempted in good faith to file all the
13 information required by subsection (a)(1)(B)(iv) and that the best interests of creditors
14 would be served by administration of the case.
15

16
17 WHEREFORE, Trustee prays for an order confirming the automatic dismissal of this case,
18 and such other and further relief as is just and proper.

19 DATED: January 5, 2017

20 
21 LENARD E. SCHWARTZER, TRUSTEE

22 **DECLARATION OF TRUSTEE**

23 I declare, under penalty of perjury, that the foregoing is true and correct, to the best of my
24 knowledge, information and belief.

25 DATED: January 5, 2017

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27 LENARD E. SCHWARTZER
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EXHIBIT “1”

DebtEd, BAPCPA, MEANSU

**U.S. Bankruptcy Court
District of Nevada (Las Vegas)
Bankruptcy Petition #: 16-16106-btb**

Assigned to: BRUCE T. BEESLEY
Chapter 7
Voluntary
No asset

Date filed: 11/15/2016
341 meeting: 01/04/2017
Deadline for objecting to discharge: 02/17/2017

Debtor
ANASTASIA KARAMANIDES
2722 PORT LEWIS AVENUE
HENDERSON, NV 89052
CLARK-NV
SSN / ITIN: xxx-xx-7859

represented by **ANASTASIA
KARAMANIDES
PRO SE**

Trustee
LENARD E. SCHWARTZER
2850 S. JONES BLVD., #1
LAS VEGAS, NV 89146
(702) 307-2022

U.S. Trustee
U.S. TRUSTEE - LV - 7
300 LAS VEGAS BOULEVARD, SO.
SUITE 4300
LAS VEGAS, NV 89101

Filing Date	#	Docket Text
11/15/2016	<u>1</u> (11 pgs)	Chapter 7 Voluntary Petition Individual. Fee Amount \$0. Request for in forma pauperis waiver. Filed by ANASTASIA KARAMANIDES (arv) (Entered: 11/15/2016)
11/15/2016	<u>2</u> (2 pgs)	Meeting of Creditors and Notice of Appointment of Trustee LENARD E. SCHWARTZER, . 341 meeting to be held on 12/19/2016 at 10:30 AM at 341s - Foley Bldg,Rm 1500. Deadline to Object to Debtor's Discharge or to Challenge Dischargeability of Certain Debts due by 02/17/2017. (Entered: 11/15/2016)

11/15/2016	<u>3</u>	Statement of Social Security Number(s). This document contains sensitive information and cannot be viewed by the public. Filed by ANASTASIA KARAMANIDES (arv) (Entered: 11/15/2016)
11/15/2016	<u>4</u> (4 pgs)	Application for Waiver of the Chapter 7 Filing Fee for Individuals Who Cannot Pay the Filing Fee in Full or in Installments with Proposed Order Filed by ANASTASIA KARAMANIDES (arv) (Entered: 11/15/2016)
11/15/2016	<u>5</u>	Set Deficient Filing Deadlines. Incomplete Filings due by 11/29/2016. Verification of Creditor Matrix due by 11/29/2016. Summary of Assets and Liabilities due by 11/29/2016. Schedules A/B-J due by 11/29/2016. Declaration Re: Schedules due by 11/29/2016. Statement of Financial Affairs due by 11/29/2016. Statement of Intent due by 12/15/2016. Statement of Current Monthly Income and Means Test Form 122A-1 Due: 11/29/2016. (arv) (Entered: 11/15/2016)
11/15/2016	<u>6</u> (2 pgs)	Notice of Incomplete and/or Deficient Filing. (arv) (Entered: 11/15/2016)
11/16/2016		Notice of Debtor's Prior Filing for debtor ANASTASIA KARAMANIDES Case Number <u>07-12910</u> , Chapter 7 filed in New Mexico Bankruptcy Court on 11/17/2007 , Dismissed for Abuse on 06/22/2009.(Admin) (Entered: 11/16/2016)
11/17/2016	<u>7</u> (3 pgs)	BNC Certificate of Mailing (Related document(s) <u>2</u> Meeting of Creditors Chapter 7 No Asset (BNC)) No. of Notices: 2. Notice Date 11/17/2016. (Admin.) (Entered: 11/17/2016)
11/17/2016	<u>8</u> (3 pgs)	BNC Certificate of Mailing. (Related document(s) <u>6</u> Incomplete and/or Deficient Filing-Ch 7 Individual (BNC)) No. of Notices: 1. Notice Date 11/17/2016. (Admin.) (Entered: 11/17/2016)
11/21/2016	<u>9</u> (1 pg)	Request for Special Notice Filed by BMW BANK OF NORTH AMERICA (ASCENSION CAPITAL GROUP, INC. (ma)) (Entered: 11/21/2016)
11/21/2016	<u>10</u> (1 pg)	

		Order Granting Debtor's Application for Waiver of the Chapter 7 Filing Fee (Related Doc # <u>4</u>) (arv) (Entered: 11/21/2016)
11/22/2016	<u>11</u> (1 pg)	Request for Special Notice Filed by PRA RECEIVABLES MANAGEMENT, LLC (PORTFOLIO RECOVERY ASSOCIATES,LLC (vs)) (Entered: 11/22/2016)
11/23/2016	<u>12</u> (2 pgs)	Notice of Appearance and Request for Notice with Certificate of Service Filed by BRETT P. RYAN on behalf of Pingora Loan Servicing, LLC (RYAN, BRETT) (Entered: 11/23/2016)
11/23/2016	<u>13</u> (2 pgs)	BNC Certificate of Mailing - pdf (Related document (s)) <u>10</u> Order on Debtor's Application for Waiver of the Chapter 7 Filing Fee (BNC)) No. of Notices: 1. Notice Date 11/23/2016. (Admin.) (Entered: 11/23/2016)
12/02/2016	<u>14</u> (2 pgs)	Notice of Appearance and Request for Notice Filed by JAMES B. BALL on behalf of SANTANDER CONSUMER USA INC. DBA CHRYSLER CAPITAL (BALL, JAMES) (Entered: 12/02/2016)
12/13/2016	<u>15</u> (14 pgs)	Motion for Relief from Stay Property: 2012 BMW 535i Fee Amount \$181. with Proposed Order Filed by BRIAN E HOLTHUS on behalf of BMW BANK OF NORTH AMERICA (HOLTHUS, BRIAN) (Entered: 12/13/2016)
12/13/2016	16	Receipt of Filing Fee for Motion for Relief from Stay(16-16106-btb) [motion,mrlfsty] (181.00). Receipt number 17208215, fee amount \$ 181.00.(re: Doc# <u>15</u>) (U.S. Treasury) (Entered: 12/13/2016)
12/13/2016	<u>17</u> (3 pgs)	Notice of Hearing Hearing Date: 01/23/2017 Hearing Time: 10:00 a.m. with Certificate of Service Filed by BRIAN E HOLTHUS on behalf of BMW BANK OF NORTH AMERICA (Related document (s)) <u>15</u> Motion for Relief from Stay filed by Creditor BMW BANK OF NORTH AMERICA (HOLTHUS, BRIAN) (Entered: 12/13/2016)
12/13/2016	<u>18</u> (1 pg)	362 Information Sheet Filed by BRIAN E HOLTHUS on behalf of BMW BANK OF NORTH AMERICA (Related document(s)) <u>15</u> Motion for Relief from Stay filed by Creditor BMW BANK OF

		NORTH AMERICA) (HOLTHUS, BRIAN) (Entered: 12/13/2016)
12/14/2016	19	Hearing Scheduled/Rescheduled. Hearing scheduled 1/23/2017 at 10:00 AM at BTB LV-Courtroom 4, Foley Federal Bldg. (Related document(s) <u>15</u> Motion for Relief from Stay filed by Creditor BMW BANK OF NORTH AMERICA) (arv) (Entered: 12/14/2016)
12/15/2016	<u>20</u> (34 pgs)	Motion for Relief from Stay Property: 2722 Port Lewis Avenue, Henderson, NV 89052 Fee Amount \$181. with Proposed Order with Certificate of Service Filed by JASON C. KOLBE on behalf of Pingora Loan Servicing, LLC (KOLBE, JASON) (Entered: 12/15/2016)
12/15/2016	21	Receipt of Filing Fee for Motion for Relief from Stay(16-16106-btb) [motion,mrlfsty] (181.00). Receipt number 17212524, fee amount \$ 181.00.(re: Doc# <u>20</u>) (U.S. Treasury) (Entered: 12/15/2016)
12/15/2016	<u>22</u> (2 pgs)	Notice of Hearing <i>on Motion for Relief from Automatic Stay</i> Hearing Date: 1/23/2017 Hearing Time: 10:00 AM Filed by JASON C. KOLBE on behalf of Pingora Loan Servicing, LLC (Related document(s) <u>20</u> Motion for Relief from Stay filed by Creditor Pingora Loan Servicing, LLC) (KOLBE, JASON) (Entered: 12/15/2016)
12/16/2016	23	Hearing Scheduled/Rescheduled. Hearing scheduled 1/23/2017 at 10:00 AM at BTB LV-Courtroom 4, Foley Federal Bldg. (Related document(s) <u>20</u> Motion for Relief from Stay filed by Creditor Pingora Loan Servicing, LLC) (mrb) (Entered: 12/16/2016)
12/20/2016	<u>24</u> (17 pgs; 4 docs)	Motion for Relief from Stay Property: 2015 Jeep Wrangler Fee Amount \$181. with Proposed Order with Certificate of Service Filed by JAMES B. BALL on behalf of SANTANDER CONSUMER USA INC. DBA CHRYSLER CAPITAL (Attachments: # <u>1</u> Exhibit A # <u>2</u> Exhibit B # <u>3</u> Exhibit C)(BALL, JAMES) (Entered: 12/20/2016)
12/20/2016	<u>25</u> (3 pgs)	Notice of Hearing Hearing Date: 1/23/2017 Hearing Time: 10:00 a.m. with Certificate of Service Filed by JAMES B. BALL on behalf of SANTANDER CONSUMER USA INC. DBA CHRYSLER

		CAPITAL (Related document(s) <u>24</u> Motion for Relief from Stay filed by Creditor SANTANDER CONSUMER USA INC. DBA CHRYSLER CAPITAL) (BALL, JAMES) (Entered: 12/20/2016)
12/20/2016	<u>26</u> (2 pgs)	Certificate of Service Filed by JAMES B. BALL on behalf of SANTANDER CONSUMER USA INC. DBA CHRYSLER CAPITAL (Related document(s) <u>24</u> Motion for Relief from Stay filed by Creditor SANTANDER CONSUMER USA INC. DBA CHRYSLER CAPITAL, <u>25</u> Notice of Hearing filed by Creditor SANTANDER CONSUMER USA INC. DBA CHRYSLER CAPITAL) (BALL, JAMES) (Entered: 12/20/2016)
12/20/2016	27	Receipt of Filing Fee for Motion for Relief from Stay(16-16106-btb) [motion,mrlfsty] (181.00). Receipt number 17221208, fee amount \$ 181.00.(re: Doc# <u>24</u>) (U.S. Treasury) (Entered: 12/20/2016)
12/20/2016	28	Statement Adjourning Meeting of 341(a) Meeting of Creditors. Section 341(a) Meeting Continued on 1/4/2017 at 01:00 PM at 341s - Foley Bldg,Rm 1500. Debtor absent. (SCHWARTZER, LENARD) (Entered: 12/20/2016)
12/21/2016	29	Hearing Scheduled/Rescheduled. Hearing scheduled 1/23/2017 at 10:00 AM at BTB LV-Courtroom 4, Foley Federal Bldg. (Related document(s) <u>24</u> Motion for Relief from Stay filed by Creditor SANTANDER CONSUMER USA INC. DBA CHRYSLER CAPITAL) (wml) (Entered: 12/21/2016)

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